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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 UNITED STATES OF AMERICA,) CR No. 3-07-70492 JCS
18 Plaintiff,)
19 v.) STIPULATION AND [PROPOSED] ORDER
20 JEANETTE BLAND,) WAIVING TIME FOR THE PRELIMINARY
21 Defendant.) HEARING AND EXCLUDING TIME UNDER
22) THE SPEEDY TRIAL ACT
23)
24)

25 With the agreement of the parties in open court, and with the consent of defendant
26 Jeanette Bland, the Court enters this order documenting defendant's waiver of time under the
27 Speedy Trial Act, 18 U.S.C. § 3161(h)(1) and under Fed. R. Crim. P. 5.1(d), from October 3,
28 2007 through October 22, 2007, the date of defendant's next appearance before this Court. The
parties agree, and the Court finds and holds, as follows:

29 1. On October 3, 2007, at a status conference on a removal hearing pursuant to Fed.
30 R. Crim. P. 5(c)(3)(D), defendant asked that she not be transferred to the District of Nebraska
31 pending negotiations with respect to a potential transfer of the prosecution to the Northern
32 District of California pursuant to Fed. R. Crim. P. 20. This court accordingly set a status

33 ORDER WAIVING TIME FOR PRELIMINARY HEARING
34 No. 3-07-70492 JCS

conference date of October 22, 2007.

2. At the status conference on October 3, 2007, the defendant waived time under the Speed Trial Act. Such time is appropriately excludable under 18 U.S.C. § 3161(h)(1)(G). In addition, defendant hereby waives her right to a preliminary hearing within 20 days, pursuant to Fed. R. Crim. P. 5.1(c) and (d).

3. Given these circumstances, the Court finds that, for good cause shown, the ends of justice served by waiving the defendant's right to a prompt preliminary hearing and a speedy trial until October 22, 2007 outweigh the best interest of the public and the defendant. Fed. R. Crim. P. 5.1(d); 18 U.S.C. § 3161(h)(8)(A) .

4. Accordingly, and with the consent of the defendant, the Court orders that the defendant's right to a preliminary hearing within 20 days from the date of the initial appearance be waived until October 22, 2007 and that the period from October 3, 2007 through October 22, 2007 be excluded from the Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A), 18 U.S.C. § 3161(h)(1)(G) and Fed. R. Crim. P. 5.1.

IT IS SO STIPULATED.

DATED: October 17, 2007

\s\\
BRIAN P. BERSON
Attorney for Defendant

DATED: October 17, 2007

ALLISON M. DANNER
Assistant United States Attorney

IT IS SO ORDERED.

DATED:

EDWARD M. CHEN
United States Magistrate Judge